2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Distr.: General
20 April 2015
English
Original: French

New York, 27 April-22 May 2015

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament

Report submitted by Morocco

Context of the ninth NPT Review Conference

1. The ninth Review Conference of the Parties to the Treaty on the Non-proliferation of Nuclear Weapons, scheduled for 27 April to 22 May in New York, is taking place in an international security context marked chiefly by:

- Deteriorating international security and exacerbation of the threat of terrorism, especially in the Middle East and in the Sahel-Saharan region.
- Continued inertia of the machinery of disarmament: the Conference on Disarmament is still unable to adopt a programme of work. The Disarmament Commission has wound up a third cycle with no agreement on recommendations regarding nuclear disarmament and confidence-building measures in the sphere of conventional weapons.
- Continuation of the process of international conferences on the humanitarian consequences of nuclear weapons, with a widening of support for the idea of an instrument prohibiting nuclear weapons.
- Lack of tangible progress in implementing the action plan of the 2010 Review Conference, especially with respect to disarmament, and the continuing deferral of the 2012 conference on the establishment of a Middle East zone free of nuclear weapons.

2. However, the following salient developments should be noted:

- Continuing implementation of the bilateral START II (strategic arms reduction treaty) agreement by the United States and Russia.
- The signing by nuclear weapon States of the Protocol to the Semipalatinsk treaty establishing a Central Asian nuclear-weapon-free zone.

15-06177 (E) 200415 040515

Please recycle

- The continuation of efforts by the International Atomic Energy Agency (IAEA), especially through its technical cooperation programme, to advance the peaceful uses of nuclear energy for purposes of development, in conformity with the inalienable right of States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with the provisions of the NPT.

- The IAEA non-proliferation regime, whose principal component remains the NPT safeguards agreements, continues to prove effective despite difficulties and challenges.

- The agreement between the P5+1 and Iran represents a major positive development in efforts aimed at resolving the question of the Iranian nuclear programme.

- The Nuclear Security Summits (NSS) process has focused attention on the importance of ensuring the security of radioactive and nuclear materials and facilities. The Washington summit identified and defined the threat of nuclear terrorism, and the Seoul summit explored other priorities in regard to nuclear safety and security, notably security of radioactive sources and security of information regarding nuclear activities. The third summit at The Hague kept up the political momentum and strengthened international awareness of the imperative of nuclear security and safety.

3. The success of the ninth NPT Review Conference will necessarily depend on the political will of States to find common ground with a view to adopting a consensual final document.

4. The success of the next conference will require great flexibility and political will to find common ground for the adoption of a final document encompassing concrete actions that respect the subtle balance between the three pillars of the Treaty.

5. However, it needs to be stressed that simply reiterating previously agreed measure would not constitute a success. The NPT is at a crossroads and innovative, bold measures are called for in order to preserve the credibility of the Treaty and the integrity of the regimes it has established. Proposals are offered by way of a conclusion in this report.

6. The Kingdom of Morocco reiterates that the NPT constitutes the cornerstone of the nuclear non-proliferation regime and a key instrument to preserve world peace and security.

Strengthening the national legal and regulatory arsenal

7. The Kingdom of Morocco has concluded a comprehensive safeguards agreement with the IAEA in the framework of the NPT since 1973 and ratified the Additional Protocol to that agreement on 5 March 2011.

8. The Kingdom of Morocco has been a State party to the Convention on the Physical Protection of Nuclear Material since 22 September 2002. The 2005 amendment of that convention is in the final stages of ratification following its approval consecutively by the Council of Ministers and Parliament.

9. Morocco adopted legislation on civil liability in case of nuclear damage on 20 January 2005 and an implementing decree was adopted in 2006, at the same time as a decree conferring the backing of the State on the National Centre for Nuclear Energy, Science and Technologies, which operates the research reactor.

10. On 18 September 2014 the Kingdom of Morocco promulgated Act 142-12 on nuclear and radiological safety and security and on the establishment of the agency entrusted with its oversight. The aim is to harmonize the national legal arsenal with the relevant provisions of the international conventions on the subject.

11. Act 142-12 provides for the establishment of a National Regulatory Authority whose mandate is to provide close monitoring of nuclear materials and radioactive sources; to maintain an inventory of them and to apply safety and security measures. The implementing decree which establishes this Agency is in the process of being finalized and is expected to be adopted in 2015.

12. The Kingdom of Morocco has been strengthening its legal arsenal in this area through the promulgation on 20 January 2015 of a decree on safety and management of hazardous wastes, in conformity with the relevant provisions of the Convention on the Physical Protection of Nuclear Material.

13. Morocco participates in the IAEA data base on illicit trafficking and is currently at work on establishing an export control regime for dual-use products, in cooperation with the United States of America and the European Union.

14. In keeping with its unwavering commitment, the Kingdom of Morocco remains convinced that the campaign against illicit trafficking in equipment and materials is capable of preventing non-state actors from gaining access to or producing weapons of mass destruction.

Morocco's contribution to strengthening the international non-proliferation regime

15. Morocco also participates in efforts to secure the universality of the IAEA comprehensive safeguards agreements. That universality is essential in order to ensure the effectiveness of the non-proliferation regime.

16. Morocco, which supports the IAEA safeguards regime, continues to contribute to all efforts to achieve that aim, and emphasizes that the IAEA should have all necessary means to effectively discharge its mandate with respect to safeguards.

17. Morocco contributes to advancing the implementation of the Code of Conduct on the Safety and Security of Radioactive Sources and participates in exchanges of experience with respect to its implementation.

18. On 15 February 2000 Morocco ratified the Comprehensive Nuclear Test Ban Treaty (CTBT) opened for signature on 24 September 1996, and avails itself of every opportunity to renew appeals for accession to that treaty by all States that have not yet done so.

19. Morocco welcomes the observance of moratoria on nuclear tests, while recalling that they cannot be considered as an alternative to ratification and entry into force of the CTBT. Morocco welcomes the launching of a process of conferences on the humanitarian consequences of nuclear weapons and will continue to participate in them, in the conviction that the process can contribute real added value to efforts under way to achieve a world without nuclear weapons.

20. Morocco favours strengthening the IAEA safeguards regime and has contributed to all efforts with that aim in view. Morocco has always stressed the need to make available to the Agency all necessary means to enable it to effectively fulfil its safeguards mandate.

21. Morocco co-chaired with France on 24 and 25 September 2009 the Article XIV Conference on Facilitating Entry into Force of the CTBT, and has developed an action plan (2009-2011) with a view to the ratification and entry into force of the treaty, in conformity with the final Declaration adopted by consensus at that Conference.

22. Morocco is aware of the complex character of the threat of terrorism and fully shares the international community's concern regarding the proliferation of weapons of mass destruction. Accordingly, it has regularly brought up to date its national report in keeping with paragraph 4 of Resolution 1540 (2004) of the Security Council.

23. Morocco, which presided over the Sixth Committee of the United Nations General Assembly in 2005, has joined in the emerging consensus for the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. This is a significant step in the global fight against international terrorism in all its forms and manifestations. Morocco signed this Convention on 19 April 2006 and has been a party to it since 23 February 2010.

24. The Kingdom of Morocco also contributes to efforts being pursued in the context of voluntary non-proliferation initiatives. Thus, Morocco has since 2011 chaired the Response and Mitigation Working Group of the Global Initiative to Combat Nuclear Terrorism (GICNT). To that end, it organized the first meeting of that Initiative on 30 and 31 October 2006, as well as meetings of the Implementation and Assessment Group in 2012 and 2015. Morocco has also been a partner in the Proliferation Security Initiative since 18 May 2008.

25. Morocco has organized several activities, including an international exercise on "Response to malicious acts involving nuclear and other radioactive materials" and "ConvEx-3" exercises, combining aspects of nuclear safety and security, in collaboration with international partners, including the IAEA.

26. Morocco has, since 2011, hosted a Centre of Excellence on Nuclear, Radiological, Biological and Chemical (NRBC) hazards in Rabat for African countries of the Atlantic seaboard in cooperation with the United Nations and the European Union; the aim is to strengthen the response and mitigation capacities of countries of the region when faced with NRBC hazards.

Implementation of NPT Review Conference recommendations

27. The Kingdom of Morocco confirms its steadfast commitment to the Treaty on Non-Proliferation of Nuclear Weapons (NPT) and its deep respect for the treaty's underlying principles and objectives, as well as its commitment to strict application of all its provisions.

28. The Kingdom of Morocco is of the view that the NPT constitutes the point of reference of the nuclear non-proliferation regime, and considers it a key instrument for the preservation of world peace and security.

29. Recent developments in the field of international security have clearly shown the vital importance of the NPT and the need to consolidate and preserve its credibility, in order to ensure the success of efforts being exerted against threats of nuclear terrorism and their networks, and against the proliferation of weapons of mass destruction.

30. The Kingdom of Morocco considers it imperative that the provisions of the NPT and the obligations deriving from them be respected by all State parties. Likewise, the measures put forward by decisions of review conferences constitute contracts for which full respect will enable us collectively to advance towards the realization of the objectives of the NPT.

31. The Kingdom of Morocco, as a State party to the NPT, has regularly adhered to decisions concerning the strengthening of the NPT review process and has always taken part in the initiatives aimed at strengthening the authority of the regime and promoting its universality.

32. The Kingdom of Morocco has also supported all the resolutions adopted by the General Assembly aimed at promoting disarmament, nuclear non-proliferation and nuclear security.

33. The Kingdom of Morocco continues to exert efforts to resolve blockages in the work of the Conference on Disarmament. To that end, it intends, during its presidency of the Conference in March-April 2015, to:

- Support the opening of negotiations on the development of a fissile materials cut-off treaty;
- Work for the start of negotiations on a legal instrument on negative security assurances;
- Support the launching of negotiations for the adoption of an international convention on nuclear disarmament.

34. The Kingdom of Morocco reiterates its commitment to the inalienable right of NPT States parties to develop research, production and use of energy and technologies for peaceful purposes, in keeping with article IV of the Treaty on the Non-proliferation of Nuclear Weapons, in the framework of international cooperation and under IAEA supervision.

35. Morocco underscores that this right should be exercised in full observance of the obligations of security and safety assurances, as stipulated in international conventions and standards on the subject.

36. Morocco remains convinced of the effectiveness of the approach set out in article VII of the NPT aimed at creation of nuclear-weapon-free zones in all regions of the world, as a useful means to strengthen the regime of nuclear non-proliferation in order to secure the realization of nuclear disarmament and the consolidation of peace and security regionally and internationally.

37. Morocco regrets that the international conference on the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction did not take place pursuant to the 2010 action plan for the implementation of the 1995 resolution on the Middle East. That conference could have been an historic opportunity to trigger a process enabling the region to be rid of weapons of mass destruction and to strengthen regional peace and security.

38. In that regard, Morocco reiterates its support for the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction as a confidence-building measure in the region and a contribution to strengthening peace and security regionally and internationally.

39. Morocco remains convinced that consolidating the multilateral approach and international cooperation represent key elements in achieving universal and effective responses to new global threats.

40. ***Proposals for the Review*** Conference On the occasion of this review conference, Morocco calls upon member States to explore ways of making progress on the following:

1. **Improving the preparatory process**. Experience has shown that delaying negotiation until the final days of the third meeting of the preparatory committee is not productive. Thought should be given, for example, to devoting the entire third meeting, except the first days reserved for general debate, to a true negotiation on a draft final document of the Review Conference.

2. **Visibility**. Even if review conferences have not yielded agreed measures or an action plan for a precise timetable, it would be unfortunate to take the view that the application of such measures can be deferred indefinitely. It has become necessary to draw up a timetable comprising realistic time limits at least for the measures that are already agreed.

3. **Verification**. The disarmament domain is the only pillar of the Treaty wholly lacking in verification mechanisms. Although setting up a complete verification regime seems out of reach in the present context, measures should nevertheless be agreed upon that would enable the review process and the States parties to verify **the implementation of agreed measures in the context of the review. Such a mechanism would constitute an important confidence-building mechanism for non-nuclear weapon States.**

4. **Responsibility** and accountability. The Review Conference and the meetings of its preparatory committee should serve as a forum for review and follow-up. For example, reports submitted by nuclear-weapon States on implementation of decisions regarding disarmament could be the subject of a review that could give rise to recommendations.